

ZB# 00-56

Wallace & Joyce Orr

32-2-76

#00-56- Orr, Wallace & Joyce

Area
32-2-76.

Prelim.

Oct. 23, 2000.

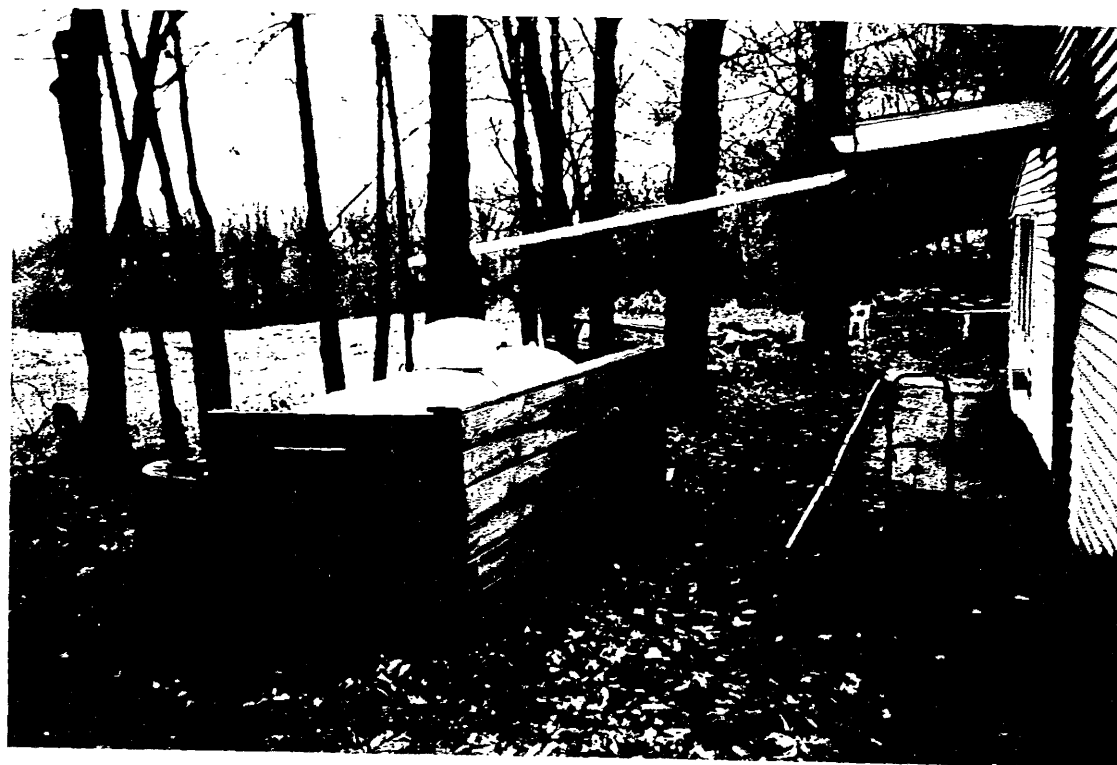
Public Hearing:

Nov. 27, 2000.

Approved

Refund:

\$198.50.





APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Orin Wallace

FILE# 00-66

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

*paid ck # 2090
11/6/00*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

*paid ck # 2089
11/6/00*

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 10/22/00 - 3 \$ 13.50

2ND PRELIMINARY-PER PAGE 11/22/00 - 4 \$ 18.00

3RD PRELIMINARY-PER PAGE \$

PUBLIC HEARING - PER PAGE \$

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 31.50

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 10/22/00 \$ 35.00

2ND PRELIM. 11/22/00 \$ 35.00

3RD PRELIM. \$

PUBLIC HEARING. \$

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$

TOTAL \$ 101.50

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT. \$ 198.50

Date 12/3/00, ~~10~~

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO Wallace S. Orr DR.

770 Jackson Ave, New Windsor

[illegible]

O

JOYCE C. ORR
WALLACE B. ORR
PH: 914-584-9263
770 JACKSON AVE.
NEW WINDSOR, NY 12553

2090

1-108/210

Nov. 6 Date 2000

Pay to the
Order of

Town of New Windsor \$50.00
Fifty and 00/100

Dollars  Security features
included.
Details on back

HSBC 

HSBC Bank USA Newburgh, NY 12550

For

#00-66

Joyce C. Orr

⑆021001088⑆494106779⑆ 2090

© HARLAND

CLASSIC

U

WILLIAM B. ORR
PH: 914-564-8263
770 JACKSON AVE.
NEW WINDSOR, NY 12553

2089

1-106/210

Nov. 6

Date 2000

Pay to the
Order of

Town of New Windsor

\$300.00

Three Hundred and 00/100

Dollars  Security features
included.
Details on back.

HSBC 

HSBC Bank USA Newburgh, NY 12550

For

⑆021001088⑆494106779⑈

2089

Joyce C. Orr 

© HARLAND

CLASSIC

-----X
In the Matter of the Application of

WALLACE ORR

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#00-56.
-----X

WHEREAS, WALLACE ORR, residing at 770 Jackson Avenue, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for an 8 ft. side yard variance to permit an existing addition and patio at the above residence in an R-1 zone; and

WHEREAS, a public hearing was held on the 27th day of November, 2000 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared with his wife for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spectator spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.

(b) The Applicant seeks a variance to obtain a certificate of occupancy for an addition and patio which have been built and in place for ten years.

(c) The existing addition and patio do not cause any drainage problems or divert water run off or cause any ponding of water.

(e) Other homes in the neighborhood have similar size additions and patios.

- (f) The addition and patio are not located on the top of any water or sewer easements.
- (g) The addition and patio are not located on the top of any water or sewer easements.
- (h) During the time the addition and patio have been erected there have been no complaints neither formal or informal.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless is warranted for the reasons listed above.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.

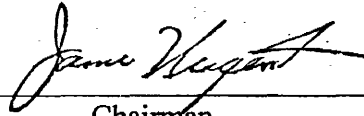
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for an 8 ft. side yard variance for an existing addition and patio at the above address in an R-1 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 8, 2001.

A handwritten signature in cursive script, appearing to read "James W. Heston", is written over a horizontal line.

Chairman

PUBLIC HEARINGS:

ORR, WALLACE

MR. NUGENT: Request for 8 ft. side yard variance for existing addition and patio at 770 Jackson Avenue in R-1 zone.

Mr. Wallace Orr appeared before the board for this proposal.

MS. CORSETTI: Is anybody here in regard to this public hearing other than the applicant?

MR. NUGENT: Let the record show there's no one in the audience. Okay, Mr. Orr, you may tell us what you're doing.

MR. ORR: Well, he's got the best pictures, see this is the wall and at the base of that wall here's a better picture at the base of the wall, there's 20 foot. Originally, the farmer pushed all the stones up to the wall, that's why it's so wide and a variance of eight foot would still be in the wall, I would like two feet to go out into the field.

MS. CORSETTI: For the record, on November 6, we sent out 16 notices for this meeting to adjacent property owners.

MR. NUGENT: That wall is your property line?

MR. ORR: Center of it, that wall is 20 foot wide at the bottom.

MR. TORLEY: Pretty much the center of the tree is the property line?

MR. ORR: Just about, yes, and the eight foot would still be in the stone wall.

MR. TORLEY: Just to make sure you don't have to do this again, the 8 feet you're sure is the sufficient width?

MR. ORR: Yes.

MR. TORLEY: Cause if it turned out you needed eight foot two inches, you may have to come back and do it all over again, so you're sure 8 feet covers it?

MR. ORR: Yes.

MR. REIS: This is the existing addition that we're concerned with?

MR. ORR: Yes.

MR. REIS: And this is the patio?

MR. ORR: Yes.

MR. TORLEY: Mike, just so the gentleman is covered, is there anything about the propane tank for setbacks?

MR. BABCOCK: No.

MR. TORLEY: It's okay?

MR. BABCOCK: Yes.

MR. ORR: The front of this, I lack 8 feet, the back of it, there's three foot further from the line.

MR. REIS: And your patio in relation to this is on the side of this, the patio?

MR. ORR: Well, there's no patio, well, there's a little porch right here.

MR. REIS: So the patio's right here?

MR. ORR: Part of it, yes.

MR. REIS: What prompted you to have to be here and require a variance, are you selling the property?

MR. ORR: Yes, I can't take care of it anymore, I had open heart surgery and it's too much work.

MR. MCDONALD: Never had any complaints from anybody?

MR. ORR: No, Mr. Jacco (phonetic), he's the only house we could see, he was going to Florida so he came over when he got his notice and wanted to know, wanted me to show him what it was and I did and he said what do you want me to do, I says if it doesn't bother you, don't do anything. He says I'm not going to do anything.

MR. KRIEGER: How long has the addition and the patio been in place?

MR. ORR: Well, ten years.

MR. KRIEGER: And Mike, there's no complaints on file?

MR. BABCOCK: No, there was a building permit to build the garage in 1984, that's what this permit looks like at least and then I guess this garage at some time was converted to livable space, right?

MR. ORR: Oh, yes.

MR. KRIEGER: And neither the patio nor the addition have diverted the course of water drainage or caused ponding or collection of water?

MR. ORR: No.

MR. KRIEGER: And not built on the top of any water or sewer easement?

MR. ORR: No.

MR. KRIEGER: Or any well or septic system?

MR. ORR: No.

MR. KRIEGER: Is this structure similar with the addition and patio in size to other structures in the neighborhood? I understand it's a fairly rural neighborhood but--

MR. ORR: Yes.

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MR. TORLEY: They're not identical, but there are similar things around?

MR. ORR: Yes.

MR. TORLEY: Entertain a motion?

MR. NUGENT: Yes.

MR. TORLEY: I move that we grant Mr. Wallace Orr his requested eight foot side yard variance.

MR. MCDONALD: Second it.

ROLL CALL

MR. MC DONALD	AYE
MR. REIS	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

ZONING BOARD OF APPEALS:TOWN OF NEW WINDSOR
COUNTY OF ORANGE:STATE OF NEW YORK

-----X
In the Matter of the Application for Variance of

Wallace B. Orr,

AFFIDAVIT OF
SERVICE
BY MAIL

00-56.

-----X
STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at
7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 6th day of November, 2000, I compared the 16
addressed envelopes containing the Public Hearing Notice pertinent to this case
with the certified list provided by the Assessor regarding the above application
for a variance and I find that the addresses are identical to the list received. I
then caused the envelopes to be deposited in a U.S. Depository within the Town
of New Windsor.

Patricia A. Corsetti

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public

Date 11/28/00, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550
.....

DATE			CLAIMED	ALLOWED
11/27/00		Zoning Board Mtg	75.00	
		Misc - 2		
		Francan - 6		
		Bila - 8		
		M'Dermott - 1		
		Orr - 4 18.00		
		Duckworth - 2		
		Corallo - 4		
		// 27	121.50	
			196.50	

Date 11/13/00 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12560

DATE			CLAIMED	ALLOWED
4/23/00	Misc - 1			
	DeLaney - 1			
	Ucar - 5			
	Orr - 3 13.50.			
	Robare - 3			
	Moore - 3			
	Seay/Borvo - 3			
	Calvet - 7			
	Cartusilevort - 15			
	2MA Mtg 41		75 00	
			164 00	
			<u>239 00</u>	

ORR, WALLACE

MR. NUGENT: Request for 8 ft. side yard variance for existing addition and patio at 770 Jackson Avenue in an R-1 zone.

Mr. Wallace Orr appeared before the board for this proposal.

MR. ORR: Can I show you a surveyor's map, I think it will explain the whole thing. This is a surveyor's map, here's our house, this is Jackson Avenue here, and I'm too close to this boundary with the corner of the house, I'm 8 feet too close to the boundary here and back here, I'm five feet too close.

MR. KANE: How long has the existing addition been up?

MR. ORR: About 12 years.

MR. REIS: What brings you to the zoning board, Mr. Wallace, how come you're here?

MR. ORR: I want to get the variance here so that I can get the Certificate of Occupancy.

MR. REIS: Are you selling your property, did someone complain?

MR. ORR: I want to--

MR. NUGENT: Do you want to show that map to these other fellas so they all get an idea of what you're talking about?

MR. ORR: Yes.

MR. TORLEY: Mike, it says side yard, shouldn't it be rear yard?

MR. KANE: Not the way the house sits.

MR. TORLEY: Doesn't have it the way the house is.

MR. BABCOCK: We felt it was a side yard. If you want

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it a rear yard, we can change that.

MR. TORLEY: Doesn't matter except it's the side away from the road so--

MR. ORR: This is my son-in-law's property here.

MR. KANE: Jim, in looking at that, the positioning of the house and the way the property sets, do you feel that is a rear, better stated as a rear yard variance or a side yard, the house is at an angle, front road is here and they're off on the angle, so would you call it a rear yard variance to do it correctly?

MR. TORLEY: Doesn't matter, just a different number we have to use but I think it's a rear yard.

MR. NUGENT: What did they write it up as?

MR. TORLEY: Side.

MR. KANE: It's from the side of the house to the back line.

MR. BABCOCK: I think the reason we continue with a side is because the garage itself would have been in violation of the code, they got a building permit for that and a certificate in 1984 and back then, they called this a side yard so that would--

MR. KRIEGER: What would require the largest number?

MR. BABCOCK: The rear.

MR. KRIEGER: Calling it a rear would require a larger variance than if you called it a side?

MR. BABCOCK: That's correct.

MR. NUGENT: Let's call it side.

MR. TORLEY: Okay.

MR. REIS: Accept a motion?

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10

MR. NUGENT: Yes.

MR. REIS: Make a motion we set up Mr. Wallace for his requested variance at 770 Jackson Avenue.

MR. KANE: Second it.

ROLL CALL

MR. REIS	AYE
MR. MCDONALD	AYE
MR. KANE	AYE
MR. TORLEY	AYE
MR. NUGENT	AYE

MS. CORSETTI: Mr. Orr, here's your paperwork.

MR. NUGENT: Just read that, it's explanatory and bring some pictures with you next time when you come for your public hearing, we'd appreciate it.

MR. ORR: I didn't hear the ruling.

MR. NUGENT: We gave you a public hearing, it's a two step process.

MR. KRIEGER: If you would, take these with you, these are the criteria on which the zoning board must decide, according to state law, so if you would address yourself to those criteria at the public hearing, that would be helpful.

MR. ORR: Thank you.

MR. NUGENT: When you get the paperwork back, Pat will set you up for your next meeting.

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(914) 583-4611

RECEIPT

#823-2000

11/06/2000

Orr, Wallace And Joyce #0056

Received \$ 50.00 for Zoning Board Fees, on 11/06/2000. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Dorothy H. Hansen
Town Clerk

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
Oct. 23, 2000
00-56.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.

DATE: 9/29/00

APPLICANT: Wallace & Joyce Orr
770 Jackson Avenue
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/25/00

FOR : Existing Addition + 6x10 Patio

LOCATED AT: 770 Jackson Avenue

ZONE: R-1

DESCRIPTION OF EXISTING SITE: 32-2-76

IS DISAPPROVED ON THE FOLLOWING GROUNDS: BulkTables R-1 zone

1. Existing 15x35 addition and 6x10 patio are 12 feet from the side property line. 20ft is required.

Louis J. Kyphor
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-1 USE: Single Family Dwelling

MIN. LOT AREA:

MIN LOT WIDTH:

REQ=D.. FRONT YD:

REQ=D. SIDE YD: 20ft

12ft

8ft

REQD. TOTAL SIDE YD:

REQ=D REAR YD:

REQ=D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: _____

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises WALLACE AND JOYCE ORR

Address 770 JACKSON AVE Phone 564-9263

Mailing Address NEW WINDSOR NY 12553

Name of Architect _____

Address _____ Phone _____

Name of Contractor _____

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N, S, E or W)
and _____ feet from the intersection of _____
2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____
3. Tax Map Description: Section 32 Block 2 Lot 76
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
- a. Existing use and occupancy _____ b. Intended use and occupancy _____
5. Nature of work (check if applicable) ☐ New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other
Existing Garage Addition (converted into living space)
6. Is this a corner lot? _____
7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
- Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ Fee \$50.00

PAID

/ /
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 563-4618
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

X Wallace B. Orr

(Signature of Applicant)

(Address of Applicant)

X Wallace B. Orr

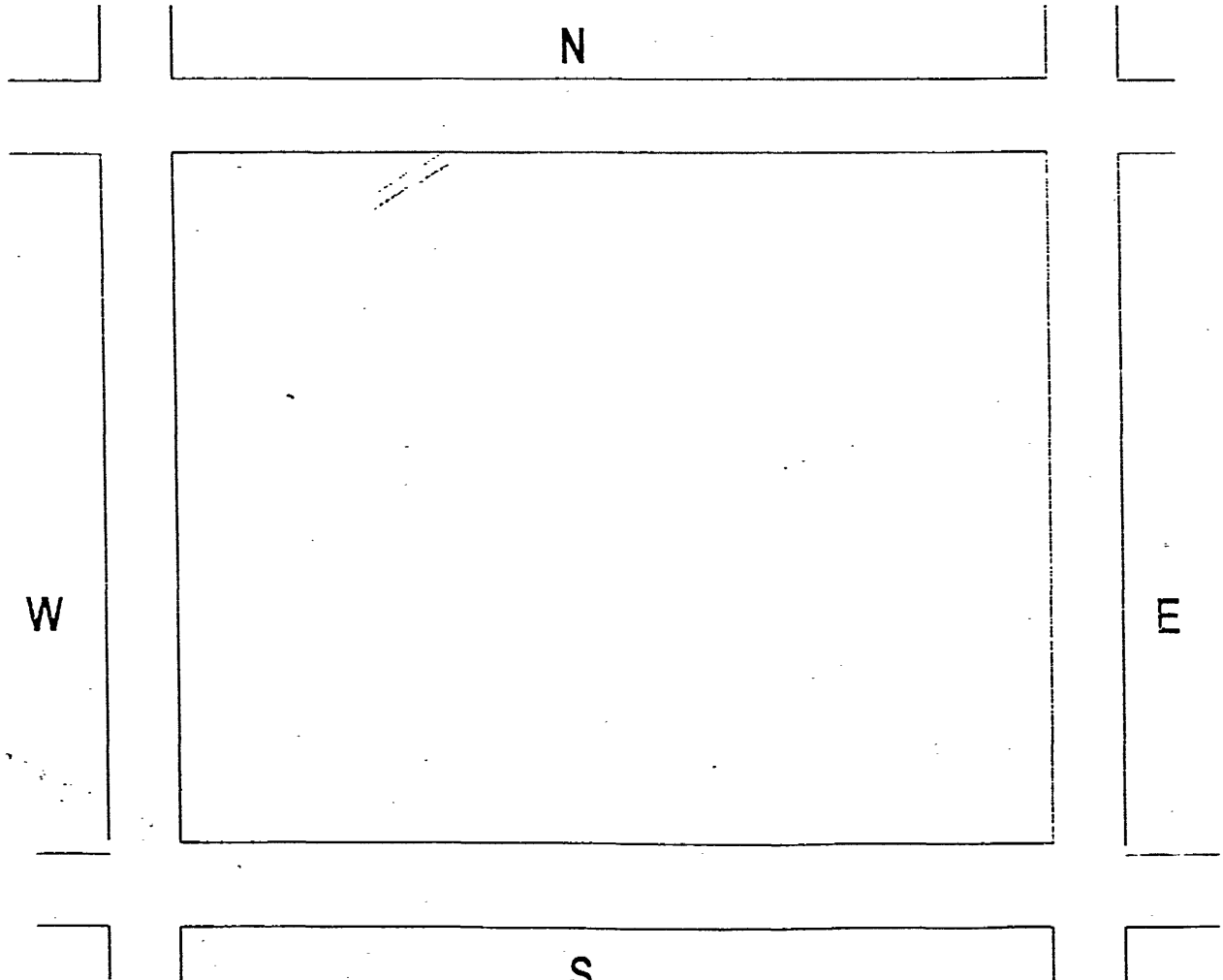
(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office



November 2, 2000

Wallace & Joyce Orr
770 Jackson Avenue
New Windsor, NY 12553

Re: 32-2-76

Dear Mr. & Mrs. Orr:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

32-2-66
Joseph D. Palmerone
70 Taylor's Way
Newburgh, NY 12550

32-2-78.1
Vincent M. & June Mary Guerino
776 Jackson Avenue
New Windsor, NY 12553

32-2-70
Harold Baxter Jr.
505 Jackson Avenue
New Windsor, NY 12553

32-2-78.2
Louis & Marilyn Di Miceli
21 Howard Street
Cornwall, NY 12518

32-2-71.1
Harold F. & Chrystal Baxter Jr.
21 Baxter Lane
New Windsor, NY 12553

32-2-80
Sisters of the Presentation of the Blessed
Virgin Mt. St. Joseph
880 Jackson Avenue
New Windsor, NY 12553

32-2-71.2
Paul & Beverly A. Miller
35 Baxter Lane
New Windsor, NY 12553

54-1-10
Pamela J. Ludlow
765 Jackson Avenue
New Windsor, NY 12553

32-2-72
Frank & Valerie J. Biassi
740 Jackson Avenue
New Windsor, NY 12553

54-1-11
Craig R. Westervelt
761 Jackson Avenue
New Windsor, NY 12553

32-2-73.1
John R. & Josephine Giacco
746 Jackson Avenue
New Windsor, NY 12553

54-1-56
Stephen Sakadelis
36 Square Hill Road
New Windsor, NY 12553

32-2-73.2
Stephen R. Giacco
Karen L. Ledford
744 Jackson Avenue
New Windsor, NY 12553

32-2-74
Vernard G. & Paula Baisley
750 Jackson Avenue
New Windsor, NY 12553

32-2-75
William R. & Concetta Bienish
758 Jackson Avenue
New Windsor, NY 12553

32-2-77
County of Orange
255-275 Main Street
Goshen, NY 10924

Pls. publish immediately. Send bill to Applicant.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 56

Request of Wallace & Joyce Orr

for a VARIANCE of the Zoning Local Law to Permit:

existing addition & patio;

being a VARIANCE of Section 48-12-Table of Use/Bulk Req., Col. F

for property situated as follows:

770 Jackson Avenue, New Windsor, N.Y. 12553

known and designated as tax map Section 32, Blk. 2 Lot 76.

PUBLIC HEARING will take place on the 27th day of November, 19²⁰⁰⁰ at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent
Chairman

By: Patricia A. Corsetti, Secy.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

00-56

Date: 11/2/00

I. ✓ Applicant Information:

- (a) Orr, Wallace & Joyce, 770 Jackson Ave., N.W. X
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-1 770 Jackson Avenue 32-216 3.9 acres +
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes
- (d) When was property purchased by present owner? 1974
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

Addition 2 patios were constructed approx. 10 years ago. There is no
adverse impact on the neighborhood; no undesirable change;
the benefit sought by Applicant cannot be achieved by some
other method; no complaints received from adjacent property owners. The
Structure cannot be seen by adjacent property owners.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation: N/A

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. ☒ Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. ✓ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>20 ft.</u>	<u>12 ft.</u>	<u>8 ft.</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See photographs).

✓ IX. Attachments required:

- ✓ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ✓ Copy of tax map showing adjacent properties.
- ✓ Copy of contract of sale, lease or franchise agreement.
- ✓ Copy of deed and title policy.
- ✓ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- n/A Copy(ies) of sign(s) with dimensions and location.
- ✓ Two (2) checks, one in the amount of \$60.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ✓ Photographs of existing premises from several angles.

X. Affidavit.

Date: November 2, 2000

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Wallace Orr
(Applicant)

Sworn to before me this

And day of November, 2000.

Patricia A. Corsetti

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2001

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

